

A N
A C T
F O R

Establishing an Infirmary in the City of *Cork*, and to vest the House called the *Infirmary House*, and the back Yard thereunto belonging, which is built at the East End of the Church-Yard of Saint *Mary Shandon*, otherwise Saint *Ann's*, in the Liberties of the City of *Cork*, in certain Trustees for ever, and to give such Trustees such Powers as may be necessary, to Promote and Execute the Purposes of an Infirmary in the City of *Cork*; And for Uniting several small Parishes in the Suburbs of the said City.

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D U B L I N :

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C H A P. XXIII.

W H E R E A S several well disposed Persons have in the Church Yard of the Parish of Saint Mary Shandon, in the North Suburbs of the City of *Cork*, Erected an House with proper Conveniencies for an Infirmary

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CHAP. of Hospital, for the Accommodation and
 XXIII. Use of such Wounded, Diseased and In-
 firm Persons, as the Subscribers towards
 the Support of the said Infirmary,
 should from Time to Time Judge to
 be proper Objects to be placed therein;
 Which House contains in Length from
 North to South, Eighty Feet, or therea-
 bouts, and in Breadth from East to West,
 Twenty five Feet Six Inches, or there-
 abouts, and is Bounded on the East by
 a Back Yard, Enclosed with a Stone
 Wall belonging to the said House, on the
 South by a Garden Commonly Called the
 Infirmary Garden, but which doth not now
 belong to the said Infirmary, on the West
 by Part of the said Church-Yard, and a
 Small Part of the Ministers Garden, and
 on the North by the Church-Yard, and
 a Row of Trees; To which House or
 Infirmary there belongs a Back-Yard,
 containing in Length Sixty Six Feet or
 thereabouts, Adjoyning to the said House;
 Which Back Yard is Bounded on the
 East by a Row of Trees, and on the
 South by the Ministers Garden; And
 which House and Back Yard Adjoyning
 therunto were Useless, until Employed
 for the Use aforesaid.

And Whereas, for several Years past,
 many Wounded, Diseased, and Infirm
 poor Persons have been received in the
 said House, and duly Attended by Phy-
 sicians

ficians and Surgeons without Fee or Re- CHAP.
 ward, to the great Relief of the Poor, XXIII.
 and Benefit of the Publick; And Whereas
 the Bishop of the said Diocels of Cork, and
 the Patrons and Minister of the Church,
 and Parish of Saint Mary Shandon afore-
 said, are desirous that the said Piece of
 Parcel of Ground containing the said House
 and the said Back Yard adjoyning there-
 unto, shall be vested in the Persons herein
 after mentioned, as a Body Corporate up-
 on the Trusts, and to the Intents and
 Purposes herein after mentioned: Now to
 the Intent and Purpose, that the said
 Piece of Ground, may for ever hereafter be
 Applied to the said Pious and Charitable
 Use, and for the better Carrying into
 Execution the said Charitable Design;

Be it Enacted by the King's Most Ex-
 cellent Majesty, by and With the Ad-
 vice and Consent of the Lords Spiritual
 and Temporal and Commons in this Pre-
 sent Parliament Assembled, and by the Au-
 thority of the same, That the said Piece of
 Parcel of Ground, With all the Buildings
 Which now are, or at any Time hereafter
 shall be Erected thereon, shall be, and are
 hereby Vested and Settled in and upon the
 several Persons herein after Named,
 (that is to say) The Most Reverend, His
 Grace Arthur Lord Archbishop of Cashell,
 and his Successors, Archbishops of Cashell,
 the Right Honourable James Earl of Kil-
 dare,

CHAP. dare, the Right Honourable Richard Earl
 XXIII. of Barrymore, Patrons of the said Church,
 and their respective Heirs, the Right Re-
 verend Jemmett Lord Bishop of Cork and
 Ross, and his Successors Bishops of Cork,
 the Right Reverend Robert Lord Bishop
 of Clogher, and his Successors Bishops of
 Clogher, the Right Reverend George Lord
 Bishop of Cloyne, and his Successors Bish-
 ops of Cloyne, the Right Honourable Henry
 Boyle, of Castlemartyr Esquire, and his Heirs,
 the Right Honourable Edmard Southwell, of
 Kings Weston in Great-Britain Esquire, and
 his Heirs, Emanuel Pigott and Thomas New-
 enham, Esquires, Representatives in Parli-
 ament for the said City of Cork, and the
 Representatives in Parliament for the said
 City for the Time being, the Mayoꝝ of
 the said City of Cork, the Recorder of the
 said City of Cork, and the Sheriffs of the
 said City of Cork, all for the Time being,
 the Dean and Archdeacon of Cork, for the
 Time being, the Reverend George Tisdall,
 Minister of the said Parish of Saint Mary
 Shandon, and his Successors for the Time
 being, the Minister of the Parish of Saint
 Ann's, the Minister of the Parish of Saint
 Paul's, and the Minister of the Parish of
 Christ Church, all in the said City or Sub-
 urbs thereof, and their Successors for the
 Time being, to the Intent or Purpose, and
 upon this Special Trust and Confidence,
 that the said Piece or Parcel of Ground,
 and the Buildings which are or shall be
 Erected

Erected thereon, shall for ever hereafter be CHAP.
 Applied to and Disposed of to the Pious XXIII.
 and Charitable Uses herein mentioned. ~

And be it further Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of April, in the Year of our Lord One thousand seven hundred and fifty two, there be and shall be a Body Corporate to Continue for Ever, for the Execution of the said Charitable Design, Which Body Corporate shall Consist of the several Persons herein after Named, That is to say, The most Reverend his Grace Arthur Lord Archbishop of Cashell, and his Successors Archbishops of Cashell, the Right Honourable James Earl of Kildare, and the Right Honourable Richard Earl of Barrymore, Patrons of the said Church, and their respective Heirs; the Right Reverend Jemmett Lord Bishop of Cork and Ross, and his Successors Bishops of Cork for the Time being, the Right Reverend Robert Lord Bishop of Clogher, and his Successors Bishops of Clogher for the Time being, the Right Reverend George Lord Bishop of Cloyne, and his Successors Bishops of Cloyne for the Time being, the Right Honourable Henry Boyle of Castle-martyr Esquire and his Heirs, and the Right Honourable Edward Southwell Esquire and his Heirs, Emanuel Pigott and Thomas Newenham Esquires, Representatives in Parliament for the said City of Cork, and

CHAP. the Representatives in Parliament for the
 XXIII. said City for the Time being; the Mayor,
 Recorder, and Sheriffs of the said City,
 all for the Time being; the Dean and
 Archdeacon of Cork for the Time being,
 the Reverend George Tildall Minister of the
 said Parish of Saint Mary Shandon, and
 his Successors for the Time being; the
 Minister of the Parish of Saint Ann's,
 the Minister of the Parish of Saint Paul's,
 and the Minister of the Parish of Christ
 Church, all in the said City or Suburbs
 thereof, for the Time being.

And be it further Enacted by the Au-
 thority aforesaid, That from and after
 the Twenty fifth Day of April, One thou-
 sand seven hundred and fifty two, the
 most Reverend his Grace Arthur Lord
 Archbishop of Cashell, and his Successors
 Archbishops of Cashell, the Right Hon-
 ourable James Earl of Kildare, and the
 Right Honourable Richard Earl of Barry-
 more, and their respective Heirs; the Right
 Reverend Jemmett Lord Bishop of Cork and
 Ross, and his Successors Bishops of Cork
 for the Time being; the Right Reverend
 Robert Lord Bishop of Clogher, and his
 Successors Bishops of Clogher; the Right
 Reverend George Lord Bishop of Cloyne,
 and his Successors Bishops of Cloyne;
 the Right Honourable Henry Boyle Esquire,
 and his Heirs; the Right Honourable
 Edward Southwell Esquire, and his Heirs;
 Emanuel

Emanuel Pigott and Thomas Newenham, Esq. CHAP.
 quires, Representatives in Parliament for XXIII.
 the said City of Cork, and the Represent-
 atives in Parliament for the said City for
 the Time being; the Mayor of the said
 City, and the Recorder of the said City
 of Cork, and the Sheriffs of the said Ci-
 ty, for the Time being; the Dean and
 Archdeacon of Cork for the Time being,
 the Reverend George Tisdall Minister of
 Saint Mary Shandon, the Minister of the
 said Parish of Saint Ann's, the Minister
 of the Parish of Saint Paul's, and the
 Minister of the Parish of Christ Church,
 and their Successors for the Time being,
 shall, for Ever hereafter, in Name and
 Fact be One Body Politick and Corporate
 in Law, for the Charitable Purposes here-
 in Contained, and shall have Perpetual
 Succession, and shall be Called by the
 Name of The Trustees for the Infirmary in
 the Parish of Saint Mary Shandon, otherwise
 Saint Ann, in the City of Cork, and that
 they shall be Enabled to Plead and Sue,
 and to be Impleaded and Sued by that
 Name in all His Majesty's Courts of Jus-
 tice, and shall and may Appoint a Com-
 mon Seal or Seals for the Use of the
 said Corporation, and shall have Power
 and Authority to Meet together as often
 as there shall be Occasion, and the said
 Trustees and their Successors, or any
 five or more of them, being so Assembled,
 shall have Power to Make such Reason-
 able

CHAP. able Laws, Rules, Orders and Regula-
XXIII. tions, for the better Government and Ma-
~ nagement of the said Infirmary, as they
shall think Necessary and Convenient, and
to Revoke or Alter the same at their
Discretion.

And be it further Enacted by the Au-
thority aforesaid, That the said Trustees,
or any five or more of them, may, if
they think proper, on the first Monday
which shall be in the Month of May, One
thousand seven hundred and fifty two,
proceed to Elect fifteen fit persons out
of such as, at the Time of such Election,
shall have been Subscribers for the Space
of Twelve Calendar Months, previous
to such Election, towards the Support of
the said Infirmary, and the Charitable
purposes to be therein carried on, which
fifteen persons shall be Elected by the
Majority of the Trustees and Subscribers
to the said Infirmary, then present in the
said Infirmary House; And that such fif-
teen persons, so to be Elected, shall be
added to the Trustees herein before nam-
ed, and shall, to all intents and pur-
poses, and as if their Names were here-
in particularly Inserted, be Deemed and
Taken to be Trustees for the said In-
firmary, from the Day next after their be-
ing Elected until the Day next after the
first Monday which shall be in the Month
of May, in the Year of our Lord One
thousand

thousand seven hundred and fifty three, and for no longer Time, by Virtue of such Election; And that the said Trustees herein before Named, and the Trustees from Time to Time to be Elected Pursuant to this Act, or any five of them, may, if they think proper, in like Manner, on the first Monday which shall be in the Month of May, in the Year of our Lord One thousand seven hundred and fifty three, and on the first Monday which shall be in the Month of May in every subsequent Year, proceed to Elect fifteen fit persons out of such persons as at the Time of such Election shall have been such Subscribers as aforesaid, towards the Support of the said Infirmary, and the Charitable Purposes to be therein carried on, which fifteen persons shall be Elected by the Majority of the Trustees and Subscribers to the said Infirmary, then present in the said Infirmary House, and that such fifteen persons, so from Time to Time to be Elected, shall be Added to the Trustees herein before Named, and shall, to all Intent and Purposes, and as if their Names were herein particularly Inserted, be Deemed and Taken to be Trustees for the said Infirmary, from the Day next after their being Elected, until the Day next after the first Monday which shall be in the Month of May, in the Year next following the Time of their being Elected, and

CHAP. for no longer Time, by Virtue of any
XXIII. One Election.

And be it further Enacted by the Authority aforesaid, That the said Trustees for the said Infirmary, shall and may, without Licence in Mortmain, Purchase, Take, or Receive any Manors, Lands, Tenements, Annuities, or Hereditaments, in Possession, Reversion, or Contingency, not Exceeding the Value of One thousand Pounds a Year in the Whole, of the Alienation, Gift, or Devise of any Person or Persons having a Right, and not being otherwise Disabled, to Alien, Grant, or Devise the same, (who are hereby Enabled to Transfer and Grant the same accordingly) or any Goods, Chattels, and Personal Estate whatsoever, as well for Enlarging the said House, as for the Relief, Support, and Maintenance of the Maimed, Sick, and Infirm Persons, who are to Receive the Benefit of the said Infirmary.

And be it further Enacted by the Authority aforesaid, That the said Trustees for the said Infirmary, and their Successors, shall have Power and Authority to Recover all Legacies, Gifts, and Bequests made to any Person or Persons whatsoever, in Trust for the said Infirmary, or for any of the Charitable Purposes therein carried on, or to be carried on, at any Time

Time of Times previous to the Twentieth
fifth Day of April, One thousand seven
hundred and fifty two. CHAP.
XXIII.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Trustees, for the said Infirmary from Time to Time, by Indenture under their Common Seal, to Demise or Lease any Lands, Tenements or Hereditaments, Vested or to be Vested in them, in Pursuance of this Act, or any Part or Parcel thereof for any Term or Number of Years, not exceeding the Term of Thitty one Years, so as upon every such Demise or Lease, there be reserved and made Payable Half Yearly to the Trustees, for the said Infirmary, and their Successors during the said Term, as much Rent as at the Time of Making such Lease, can be really and Bona Fide, had for the same from a solvent Tenant, and so as no Fine or Income, or other Consideration be taken for the same, other than the said Rents to be reserved to the Trustees for the said Infirmary, and their Successors, and so as every such Demise or Lease be made in Possession, and not in Reversion.

And be it further Enacted by the Authority aforesaid, That all Leases made of such Lands, Tenements, or Hereditaments, in any other Manner shall not be Good or

CHAP. Available in Law, but shall be to all In-
XXIII. tents and purposes Null and Void.

Saving, and always Reserving to all and every Person and Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, Executors, and Administrators, (Except the Kings Most Excellent Majesty, his Heirs and Successors, the Bishop of Cork for the Time being, the Minister of the said Parish of Saint Mary Shandon for the Time being, the Minister of the said Parish of Saint Ann's for the Time being, the said James Earl of Kildare, and his Heirs, and the said Richard Earl of Barrymore, and his Heirs,) all such Estate, Right, Title, Interest, Claim or Demand whatsoever, both at Law or in Equity, of, into, or out of the said Piece or Parcel of Ground containing the said House, and to the said Back Yard thereto adjoining, as they, every, or any of them might have had, in Case this Act had not been made.

And Whereas, the Parish of Saint Nicholas in the South Suburbs of the City of Cork is so small, and the Bounds thereof are so Intermixed with other small Contiguous Parishes or Parts of the said South Liberties, called and described by the Name of Parishes, and in which no Church is or can be Built, that no Provision can be made for the Support of a Clergyman

Clergyman to Officiate in the Church now CHAP.
 Built in the said Parish of Saint Nicholas, XXIII.
 nor even to Repair the said Church, and
 in which on that Account, there has been
 no Divine Service for some Time, and said
 Church is in Danger of going to Ruin.

And Whereas, the Inhabitants of the
 Parishes or Parts of the South Liberties,
 called by these Names, (Viz.) Saint Brid-
 get's, Saint John's of Jerusalem, Saint Ni-
 cholas, Saint Stephen's, Saint Mary's, Saint
 Dominick's, have at present no Church to
 Resort to for the publick Worship of
 God.

For Remedy whereof, Be it Enacted by
 the Authority aforesaid, That the Bishop
 of Cork, With the Approbation of the
 Archbishop of the Province, the Con-
 sent of the Dean and Chapter of the
 Cathedral of Saint Finbarry, Cork, and
 the Consent of the Majority of the In-
 habitants of the Adjacent and Conti-
 guous Parishes of Saint Nicholas, Saint
 Bridget's, Saint John's of Jerusalem, Saint
 Stephen's, Saint Mary's, Saint Dominick's,
 or of these Parts of the South Suburbs
 of the City of Cork, Called and Known
 by these Names Assembled in Vestry, in
 Saint Nicholas Church, Eight Days No-
 tice of such Vestry being posted on the
 Doors of the said Church, may for ever
 Unite all or any of Parishes of Saint

5 R

Bridget's

CHAP. Bridger's, Saint John's of Jerufalem, Saint
 XXIII. Stephen's, Saint Mary's, Saint Dominick's,
 or all or any of thole Parts of the South
 Liberties of the City of Cork, Known
 and Distinguished by thefe Names, to the
 Parifh of Saint Nicholas, and Erect all or
 any of them, and the Parifh of Saint
 Nicholas, into One Parifh for Ever, to all
 Intents and Purpofes Whatfoever, and
 which fo United and new Erected Parifh
 fhall be Called and Deemed the Parifh of
 Saint Nicholas, and the Inhabitants there-
 of fhall be liable to all fuch Taxes and
 Rates, for the Support of the Minifter or
 Rector thereof, the Maintenance of a Pa-
 rifh Clerk, and the Repairs of the laid
 Church of Saint Nicholas, and all fuch
 Neceffaries for Divine Service, and the
 other Provisions, as the Inhabitants of
 the Old Parifh of Saint Nicholas were be-
 fore this Act.

And be it Enacted by the Authority a-
 fofelaid, That as the Parifh of Saint
 Bridger's is now the Corps of the Chancel-
 lorship of the Cathedral Church of Saint
 Finbarry, Cork, that the to be United and
 Erected, as afofelaid, Parifh of Saint Ni-
 cholas fhall Ever thereafter be Deemed and
 Conftrued to be the Corps of the Chan-
 cellorship of the Cathedral of Saint Finbar-
 ry's, Cork, in as full and Ample a Man-
 ner as the afofelaid Parifh of Saint Brid-
 ger's now is, and that the Chancelor of
 the

the said Cathedral of Saint Finbarry's, CHAP.
Cork, shall be Deemed and Become, to all XXIII.
Intent's and Purposes Whatsoever, the
Rector and Minister of the said United
and newly Erected Parish of Saint Ni-
cholas:

Saving to the King's Most Excellent
Majesty, His Heirs and Successors, and
to the Bishop of Cork, and his Successors,
all such Right, Interest, and Property
Which they had in any of these Parishes,
or parts of the South Liberties of the
City of Cork hereby United to, and Con-
solidated with the Parish of Saint Nicholas,
and made the Corps of the Chancellorship
of the Cathedral of Saint Finbarry's, Cork.

And be it Enacted by the Authority a-
foresaid, That this Act shall be Deemed,
Taken, and Allowed in all Courts With-
in this Kingdom, as a Publick Act, and
that as such all Judges shall take Notice
thereof, Without Specially Pleading the
same.

F I N I S.